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# **NAVAL POSTGRADUATE SCHOOL**

## **Monterey, California**



## **THESIS**

### **PREVENTING MILITARY INTERVENTION IN WEST AFRICA: A CASE STUDY OF GHANA**

by

Michael Kweku Addison

March 2002

Thesis Advisor:  
Co-Advisor:

Thomas C. Bruneau  
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**PREVENTING MILITARY INTERVENTION IN WEST AFRICA:  
A CASE STUDY OF GHANA**

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Submitted in partial fulfillment of the  
requirements for the degree of

**MASTER OF ARTS IN  
INTERNATIONAL SECURITY AND CIVIL-MILITARY RELATIONS**

from the

**NAVAL POSTGRADUATE SCHOOL  
March 2002**

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## **ABSTRACT**

Consistently poor economic performance in Ghana and elsewhere in West Africa has led to pressure on governments from civil society, which has in turn led to authoritarianism and a search for compliance that has drawn the military into politics and finally into government. Military governments have performed equally poorly in economic management and governance and have relied on the civilians they had overthrown to govern. Likewise, civilian administrations have relied upon, and manipulated the military institution and structures thereby politicizing the military and restarting the cycle of military intervention. This cycle has repeated itself several times in the post colonial period and any effort to design a system for preventing military interventions must address itself to this cycle. The thesis will also show that the relationships between the military, the executive branch, Ministry of Defense and the legislature are very important in ensuring effective civil-military relations and breaking the cycle of military interventions. In addition, a balance of the activities of the intelligence agencies, which must operate in secrecy but with some form of transparency is very important in democratic consolidation.



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## **EXECUTIVE SUMMARY**

The consistently poor economic performance in Ghana and elsewhere in West Africa has led to pressure on governments from civil society, which has in turn led to authoritarianism and a search for compliance, which has drawn the military into politics and finally into government. I will again argue that the military governments that have emerged have performed equally poorly in economic management and governance and have relied on the civilians they had overthrown to govern. The civilian administrations have also relied and manipulated the military institution and structures to govern thereby making the military apolitical. This cycle has repeated itself several times in the post colonial period and any effort to design a system for preventing military interventions must address itself to this cycle as being important in military intervention. The creation of parallel security forces, usually ethnically based, as counter-weights to the established armed forces has also been a problem with civil-military relations and has in some cases resulted in military coups.

The thesis will also show that the relationships between the military, the executive branch, Ministry of Defense and the legislature are very important in ensuring effective civil-military relation and a balance of the activities of the intelligence agencies, which must operate in secrecy with some form of transparency, is very important in democratic consolidation. I will finally come up with a framework which I believe if followed will prevent future military intervention in Ghana.

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## **ACKNOWLEDGMENTS**

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# **I. INTRODUCTION**

## **A. RELEVANCE OF THE STUDY**

The military in Ghana, just like most of the countries in the West Africa, has been directly involved in politics since independence. Attempts by government after government to keep the military out of politics and direct rule have failed in both Ghana and the rest of West Africa. Even after successful attempts had been made to transition back to democracy in Ghana, the military intervened to stop the progress. The first and most obvious question is whether the military can be prevented from initially intervening, reintervening, and from threatening to do so in order to shape the new political order in accordance with its interests. This is not a problem easily resolvable by constitutional and legal bans against coups. The answer does not lie in the military establishment but in a democratic institution functioning effectively and remaining legitimate; in an active civil society in which social and political forces remain strong enough to deter military intervention; in economies that grow and redistribute resources minimizing discontent and conflict; and in an international environment supporting democratic institutions.<sup>1</sup>

The macro-economic strategies pursued in Ghana since its independence have been influenced by both mainstream economic development thoughts of the day and the political ambitions of the leaders of the country. These socio-economic demands led to the rapid establishment of state enterprises and nationalization of few private ones. The public service sector was equally enlarged to accommodate the administrative requirements of economic development experiments. The rapid creation of these organizations and expansion of the public sector had major consequences on management. This growth exerted a severe strain on balancing payments in the economy and set in motion a spiral of economic problems that presently characterize the social and economic environment in Ghana.

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<sup>1</sup> Robin Luckham, *Transition to Democracy and the Control over Ghana's Military and Security Establishment*. (CODESRIA, UK 1998) p.141



In Ghana, like the other developing countries, the labor market posed a major problem for the economy and policy-making. The labor market has the persistent challenge of efficiently generating sufficient jobs to absorb the growing labor force and to avoid mass unemployment, especially among the youth. Even though, the country was faced with the microeconomic issues of stabilizing growth to hold down inflationary pressures, wage differentials within the public sector, as well as, between the public and the private sectors were significant in allocating skills, which were scarce, for effective use. A more skilled workforce was a precondition for increasing productivity. The labor market happened to be the most important source of income and, therefore, a crucial influence on the distribution of income and poverty. Not surprisingly, the labor market is highly politicized through the activities of trade unions. This has resulted in every governments attempting to have firm control of Trade Union activities.

Policy initiative in and out of the labor market must directly address economic and political realities and the goals of development. These must include industrialization and not rest upon the notion that labor markets will work better, the more they are allowed to conform to the ideal of perfect competition. Ghana was one of the first countries on the African continent to appreciate the negative consequences of rapid population growth and the need to manage it. Even though the Governments made efforts to strengthen the economy by controlling the population, its growth rate constrained development by increasing pressure on scarce public resources and other social amenities, worsening an already weak economy. The military regimes failed to recognize this concept because their lack of expertise resulted in making the economic situation worse each time a regime returned to power supported by some ambitious civilians.

Democratization is normally initiated outside the state, through the struggles of groups in civil society, or in response to international pressures, like those exerted on most of the African State under the rubric of “political conditionality.” Nevertheless, hegemonic or institutional crises within authoritarian regimes and their military and repressive apparatuses also play a central role. Ghana on gaining independence from Britain in 1957 under Dr Kwame Nkrumah proceeded to set up a highly centralized state designed to transform it into a socialist society. Three years later, Ghana became a republic and severed its residual link to the British crown. Nkrumah scrapped Ghana’s

Western-style political institutions and proclaimed himself president for life with his political party as the only legal party. Ghana, thus, became an authoritarian regime,<sup>2</sup> which, therefore, neither had to be popular nor legitimate to survive. Such regimes required compliance rather than consent. However compliance has to be organized and authoritarian regimes have to invest in a means of physical coercion in the military and police establishments, which developed them; this exposes the military to politics. Regimes must be able to control the military, which is just as difficult for an authoritarian government as democratic one.

Authoritarian regimes that Ghana had applied brute military force as a means of getting compliance, including political surveillance, intelligence networks, patronage and control of the media. The regimes then incorporated ideological rationales for repression, in terms of national security or development, attempting to convince powerful interests, for instance, business elites or the civilian bureaucracy, that even if they lack legitimacy, they are at least effective in managing the economy. Whatever legitimacy might accrue from this is undermined when it become clear that these regimes are in fact not effective in managing the economy. This weakness is not debilitating in authoritarian regime or military rule unless the ruling group's monopoly of violence and its capacity of assuring continued compliance comes into question. Once this happens, cracks rapidly open in the edifice of power, political forces acquire space in which to organize and demonstrate that they can get away with disobedience, and regimes rapidly look more fragile. The military at this point, in most cases, negotiates its way or is drawn into politics. The military, now feeling equal to the civilians in the governance of a nation, finds it difficult to subordinate itself to civilian control when a democratic transition occurs.

## **B. LITERATURE REVIEW**

Even though a lot of literature is available on civil military relations and transition to democratic rule, few resources can be found on Ghana. All the literature that has been produced is on transition to democratic rule, forms of military rule, military in politics,

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<sup>2</sup> John W. Garver, *Foreign Relations of the People's Republic of China*. Prentice Hall, Upper Saddle River New York. This is an analysis of China's quest to spread socialism to the Third World by offering economic assistance in the form of aid.

and some accounts on the involvement of the military. Nothing has been written on civil military relationship with the purpose of preventing coups. In the review of the literature, therefore, I will focus on good civil military relations as seen by some experts in the field and apply this to Ghana. Civil-military relations have been a source of concern for countries in the emerging democratic dispensation of the Third World after the collapse of the Cold War. This concern exists because the process of democratization tends to put the military, which hitherto controlled so much power at the state level, under civilian control.

This literature review will first define good civil-military relations as seen by some authors in establishing effective civilian control of the military to prevent military interventions. The literature uses Ghana as a case study in analyzing how civil-military relations can best lead to effective civilian control of the military. Finally, It discusses the relative weight of structure vs. human agency for attaining good civil-military relations and democratic civilian control of the military.

In his book *The Soldier and The State*, Samuel Huntington describes civil-military relations as an aspect of national security policy. He sees the military institution as operating from two forces; a functional imperative, stemming from the threats to the society's security, and a societal imperative, arising from the social forces, ideologies and institutions dominant within society. He believes that balancing these two forces results in good civil-military relations. Huntington goes further to explain subjective civilian control, which civilianizes the military making them the mirror of the State, and objective civilian control, which militarizes the military making it the tool of the state. Subjective civilian control exist in many forms; whereas, objective civilian control has only one.<sup>3</sup> Ghana in its effort at democratic consolidation desires full objective civilian control because the prime aim for any system of civilian control is to have strong, and nonpolitical military. Objective civilian control will achieve this reduction while, at the same time, increasing professionalism of the military thereby making it apolitical.

In defining good civil military relations, Douglas L. Bland sets up four benchmarks in which conditions must exist in a nation state:

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<sup>3</sup> Samuel P. Huntington, *The Soldier and the State*. (New York Vintage Books 1957) pages 2 & 83

- (i) Acknowledge distinct civil and military spheres
- (ii) Explain the factors that shape how civilians exercise control over the military
- (iii) Transcend the concept of professionalism
- (iv) Derive it deductively before empirically testing it against the historical records

He also favored the theory of a shared responsibility for good civil military relations, in which various players work within a known regime in which the rules of the game and the sanctions for breaking the rules are understood and generally agreed upon.<sup>4</sup> The rules and sanctions must be binding on the armed forces and the civilian leaders. Bland also supports objective civilian control for good civil-military relations.

Peter D. Feaver sees good civil-military relations as a challenge in reconciling a military strong enough to do whatever the civilians request and a military subordinate enough to do only what civilians authorize.<sup>5</sup> For good civil-military relations, balance is required between the protection by the military and protection from the military since any effort to assure one side complicates effort to assure the other. Feaver further noted that objective civilian control signifies autonomous military professionalism. He pointed out that interference or meddling in military affairs undermines military professionalism and so undermines objective control. Objective civilian control also weakens the military politically and facilitates its voluntary subordination to civilian control.

Henry H. Gaffney, Jr. recognizes that for the military to function effectively and have good civil-military relations, effective civilian control is essential. He further outlines the following requirements that are to be met and referred to as the basic rules for effective civil-military relations:

- (i) The minister of defense should be a civilian.

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<sup>4</sup> Douglas L. Bland, "Unified Theory of Civil Military Relations". Armed Forces & Society, Vol 26, No1, Fall1999 p.9

<sup>5</sup> Peter D. Feaver, "The Civil-Military Problematique; the Question of Civil Control". ARMED FORCES & SOCIETY, Vol.23 Winter 1996 p. 149 & 160

- (ii) The military establishment must be embedded within the government system.
- (iii) The military establishment must be embedded within the society.
- (iv) The military establishment must be embedded within the economy.
- (v) A unified military command must exist for the Services.<sup>6</sup>

The Constitution of 1992 covered most of the proposals by Henry Gaffney Jr. and the opinions of experts in the field of civil military relations. Nevertheless, reviewing some aspects of the Constitution is suggested to ensure democratic consolidation and effective civilian control of the military.

Herbert M. Howe identifies the rulers' trepidation about loyalty as prompting the creation of parallel security forces, usually ethnically based, as counter-weights to the established armed forces.<sup>7</sup> These forces only protect the ruler and the regime rather than defending the nation, which is one major source of instability in civil military relations. The creation of the Presidents Own Guard Regiment in Ghana was one of the reasons for the overthrow of Dr Nkrumah's government in the first republic.

There are three levels of analysis in civil military relations: the systemic (structure); the state, made up of bureaucracy, leaderships, and legislature; and finally the societal groups. Ghana, as a democratic nation state, is part of the international political economy giving weight to its systemic level while influencing the societal levels. The state is situated in both the domestic and international realm, so any weakening in civil military relations automatically affects the domestic as well as the international arena. The impact on the domestic level is, however, greater but, a realist would assume the state as a rational unitary actor, which responds to only external threats.

The end of the Cold War and its related strategic events have caused the Western industrialized countries to adopt the promotion of democracy and ensuring a sound and open market economy throughout the world. The policy of globalization has some effect

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<sup>6</sup> Henry H. Gaffney Jr, Why Should Civilians Control the Military and How Should They Do it. Center for Naval Analyses, Virginia. Professional Paper # 538 / June 1996 p.4

<sup>7</sup> Herbert M. Howe, Ambiguous Order Military Forces in African States.(Lynne Rienner Publishers London 2001) p.44

on international civil military relations in the sense that countries, which had big military industrial complexes, cannot export as much as before. Ghana and most of the Third World countries now consolidating their democracy cannot buy as much military equipment as before because of objective civilian control of the military. The Western industrialized world's promotion of international democratization is a very good initiative; nonetheless, its impact on civil-military relations could result in serious consequences for some of the new democracies because the military will not obtain what it wants.

The theme of this thesis is "Preventing military intervention in West Africa: A case study of Ghana." The study is important because Ghana, like any of the countries in the West African sub-region, has experienced a lot of coups since its independence in 1957. All attempts at effective democratic rule have failed in Ghana and in most of West Africa since the military has been indirectly involved in the political system of the countries from the pre-colonial period until today. In addition some leaders have interfered in the military structures and institutions to such an extent that the military always feels threatened. The military played an important part in the pre-colonial period in the building of a very powerful Ashanti Empire, south of the Sahara, in what is now called Ghana. The colonial era military was gainfully involved in the struggle for independence from the British. On February 28, 1947, a group of ex-servicemen, who fought on the side of the British in India during the Second World War, obtained permission to hold a parade demonstrating their grievance against the government at Christiansburg Castle;<sup>8</sup> Unfortunately, these demonstrations turned into social disturbances which resulted in the death of some of the ex-servicemen. It further degenerated into riots, looting, and breaking into jails in Accra. The people had become disenchanted with the government's policies and its inability to lower prices. This action by the ex-servicemen together with those of the general population triggered agitation for independence.

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<sup>8</sup> F. K. Mensah, Government and Constitutional Developments in Ghana (Heidelberg: University of Heidelberg, 1976) p.75 And Adu Boahen, Ghana Evolution and Change in the Nineteenth and Twentieth Centuries (London. Longman Group 1975) p.163. It must be noted that the boycott and other measures took effect before Nkrumah became well known. The riots later extended to other cities in the country.

The primary concern for the country is achieving civilian control of the military and making a democracy work during this fourth attempt at constitutional rule. A good relationship between the intelligence apparatus, the executive branch, the military as well as the population is of prime importance in consolidating democracy. This will build confidence and reduce hatred and suspicion that exist between the institutions. Failure to achieve this undermined previous attempts at effective democratic rule in Ghana, and in most of West Africa.<sup>9</sup>

The colonial master, Britain, established the military in Ghana to protect and defend the territorial integrity of the nation but also maintain order in the smooth functioning of the colony by engaging in police duties, suppressing internal unrest and rebellions. As a result, the military found itself either directly or indirectly involved in the governance of the nation. Government upon government further shifted the military from its assigned roles to a role in politics.

Ghana did not have a well-equipped and effective police force to handle internal civil disorder and other police duties, and the government did not attempt to equip the police either. This resulted in deploying the military from time to time in civil affairs. By doing this, the military became directly involved in political process. This situation existed because civilians required the military to consolidate their hold on power. Noting this, and thinking that they had the ability to rule better, the military moved to eliminate civilian government through coup d'état. However, they found that they could not govern without the expertise of the civilians. The lack of expertise led the military to turn to the same civilians, which it had previously removed from power.

Ghana has no clear separation between defense intelligence and the national intelligence agencies. This situation has always resulted in the military doubling in other intelligence matters that have no direct bearing on the military and has always been a threat to consolidating democracy. Government upon governments have always oppressed their opponents and their activities under the cover of national security, which

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<sup>9</sup> There have been coups in almost all of the countries in the West African Sub-region. Nigeria has had as many coups like Ghana where as countries like Togo, Benin, Burkina Faso, Guinea, Niger, Sierra Leone, Mali, and the Gambia have had at least one or two coups to their credit. Godfrey Mwakikagile (2001) has written extensively about this in Military Coups in West Africa Since the Sixties.

has been a source of hatred and rivalry amongst political parties; in most cases, the military is dragged into it through the Defense intelligence outfit.

### **C. SIGNIFICANCE OF THIS STUDY**

In trying to arrive at a framework for the effective control of the military by the civilian authority, a brief background of the military institution ties its involvement to politics. Two questions arise in establishing this study:

- (i) Why has the military in Ghana been involved in politics?
- (ii) What role can the military play in the consolidation of democracy while, at the same time, being under effective civilian control?
- (iii) Attempting to answer these questions also creates some more issues that will be addressed in the subsequent chapters; however, some of these need to be highlighted now:
  - (iv) Parliamentary oversight and executive control.
  - (v) Transparency and accountability of budget and procurement processes of the military.
  - (vi) The management of transitioning from involvement in politics to the traditional roles.
  - (vii) The military's impression of its subordination to civilian authority.
  - (viii) Separation of defense intelligence from national security issues while cooperating with each other.

### **D. RESEARCH METHODS AND PROCEDURES**

The research is a historical case study covering primary research based on interviews with policymakers and senior military officers in Ghana. In my analysis, I used textbooks, and the electronic resources at the Naval Postgraduate School (Internet and Lexis Nexis, etc.). I also made use of reports in newspapers and other relevant journals on Ghana's democratic processes.



This research was, however, constrained in the area of intelligence because no books were available on Ghana's intelligence process and interviews conducted on the civilian aspect of intelligence processes, gave little information/direction. Documents were, however, made available on the laws that govern intelligence processes in Ghana and their function.

Notwithstanding the constraints in the area of national security, I believe that cases studies of specific intelligence events in Ghana alongside the laws that are in place will help in establishing how the civilian intelligence organizations functions. To further buttress my understanding of the intelligence process, I incorporate some primary research findings through an interview with Brigadier General Adu-Amanfo, Director General Defense Intelligence. In addition, I interviewed other staff of lesser profile at the office of the Director National Security. All interviews were conducted in December 2001.

Chapter II discusses the history of military involvement in the political system in Ghana, analyzing the coups of 1966, 1972, 1979, and 1981 and, finally, the national intelligence institutions and the military. Chapter III analyzes the form of civilian control of the military currently in existence by studying the relationship between the executive branch, Ministry of Defense (MOD), and the military, on one side, and the legislature and the military, on the other. It further examines the institutional mechanisms that the Constitutions has in place to guide these relationships, identifies potential weaknesses and makes recommendations for strengthening the framework for objective civilian control of the military under a democratic system. Finally, an effective national security and intelligence system will be discussed for the purpose of ensuring secrecy while, at the same time, maintaining transparency under the democratic process. Chapter IV will summarize all the chapters and come up with a proposed framework as a guide for preventing military intervention and effective civilian control of the military.

## **II. MILITARY AND POLITICS IN GHANA**

### **A. INTRODUCTION**

The involvement of the military in politics goes back to the period of the Ashanti Empire in the 1700, when the Ashantis used their military might extensively to expand their kingdom to Côte d'Ivoire, the North, and the coastal lands. This was followed by the colonial period when the British used the military extensively in the World Wars while also relying on the military to maintain order in their colonies. The military during that period was engaged in police duties, and suppression of internal unrest and rebellions in the colonies. Due to the poor economic performance of the various post colonial governments and their desire to remain in power, the government always involved the military in their search for compliance. The politicians have continuously manipulated the military institutions resulting in coups, in which the military, dependent on the same civilians to govern failed equally to govern effectively or manage the economy efficiently.

This chapter will attempt to show military civilian interdependency and interpenetration in all the forms of governments that Ghana has had and to establish how this interferes with military institutions and structures undermines objective civil-military relations. The chapter will also study the specific role of intelligence institutions showing how they have operated as an important channel for military civilian interpenetration.

### **B. BACKGROUND OF MILITARY INVOLVEMENT IN POLITICS**

The military in Ghana has been involved in politics since the time of the pre-colonial period when Ghana was referred to as the Gold Coast. The Ashanti Empire, which forms part of the present day Ghana, emerged around 1700 principally by waging wars of conquest against other states. By 1824, the empire had expanded to cover most of present day Ghana and parts of the Côte d'Ivoire, Burkina Faso and Togo. Even though some of the other states still existed under their own leaders, they paid tribute to the

Ashantehene who was the head of the Ashanti Empire.<sup>10</sup> The military's role in holding this empire together cannot be over emphasized.

The Ashanti Empire made use of the military in its effort to expand. The military was used in the conquests of other states usually producing large numbers of captives and domestic servants used by their conquerors to perform certain activities, such as farming, mining, housework and to fight in the military. The military, in many ways, helped the Ashanti Kingdom to build a very vibrant economy before the coming of the British to the Gold Coast. Trading already existed between the Ashanti and the Portuguese in 1471.

By the mid-eighteenth century, Ashanti was a highly organized state with a very powerful military, which facilitated the expansion of the kingdom to the northern states of Mamprusi, Dagomba and Gonja. Wherever they conquered, the territories forcibly consolidated into the confederation; nonetheless, the territories were allowed to retain their own customs and chiefs, who were given seats on the Ashanti State Council. The military's duty was to work out a system to ensure that the conquered states stayed loyal to the Ashanti Kingdom, and, in response, the military had to recruit some of its personnel from the conquered territories.

The Europeans noticing the volume of trade that was taking place between the Ashanti Empire and Europe, fought each other for control of the kingdom, which later became part of the Gold Coast. After the British finally won over the other Europeans, they decided to conquer the whole Ashanti Kingdom together with the coastal lands and to make it a colony. The Ashanti State and merchants regarded the British attempt to control the Gold Coast as illegitimate resulting in political tension between the State and the British. The first governor of the Gold Coast, George Maclean succeeded in signing numerous treaties with the Ashanti State, but the prospects of war still persisted.<sup>11</sup>

The control of the gold mines was the main concern of the British resulting eventually in a series of battles between the Ashanti State and the British. In one of the battles, (Insamankon in 1824), the British were humiliated and the Governor of Sierra

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<sup>10</sup> Edward Reynolds, Trade and Economic Changes in the Gold Coast 1807-1874. (Longman Group, London 1974) p.5

<sup>11</sup> Ibid., p. 117

Leone, Sir Charles MacCarthy was killed. The Ashantis were later defeated by the British in the battle of Dodowah in 1826; thereafter the British established a colony in the Gold Coast bringing together the coastal lands and the whole Ashanti State.

The British used the military force that existed in the Gold Coast and the rest of the West African colonies to form the nucleus of the Royal West African Frontier Force (RWAFF). As far back as 1898, the Gold Coast provided a quota of the RWAFF, used extensively in the World Wars and the control of the colonial states in the region. This was a para-military unit made up of soldiers from British West Africa (Sierra Leone, the Gambia, Nigeria, and the Gold Coast). This unit was the coercive arm of the colonial state and would be ready to support imperial defense objectives.<sup>12</sup> The military in the Gold Coast, therefore, became involved in politics right from the point of colonialization. This happened because the British relied on the military of the then British West Africa to defeat the Ashanti. The military was always called upon by the British to maintain order in the colony by engaging in police duties, and suppressing internal unrest and rebellions.

The military carried out these functions throughout the period of colonialism in most of the West African states. The British again attempted to increasingly politicize the RWAFF in the World Wars precisely for reasons that it was engaged in the fighting. The RWAFF served in the WWI on the side of the British against the Germans and in WWII with British against the Japanese army in the Far East.<sup>13</sup> The military, therefore, found itself as part of the political system. Since the military is the manager of violence, in any governmental apparatus, they decided to evoke power on themselves to ensure good governance and accountability, which has always failed.

Notably, during the colonial period the top ranks of the military were dominated by British officers. Due to this dominance, the officer corps of the Ghana Armed Forces had very few Ghanaians at independence in 1957 with the military being mostly under British command. There were 200 British officers and 25 Ghanaian junior officers when

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<sup>12</sup> E. Lefever, Spear and Specter; Army, Police and Politics in Tropical Africa (Washington D.C. The Brookings Institution 1970) p.37. The role of the Military in Ghana is well-documented in Hutchful, Military Intervention and the Politics of Demilitarization in Ghana 1966-1969.

<sup>13</sup> WWII battles that are still talked about this day by the Ghana Armed Forces. Names like “Myohaung”, “Burma” and “Rangoon” have been taken by military.

Dr. Kwame Nkrumah and the Convention Peoples Party (CPP) led Ghana into independence.<sup>14</sup>

### **C. THE COUP OF 1966**

Nkrumah ruled Ghana from its independence in 1947 until February 24, 1966, when he was overthrown by a military coup. Just three years after Ghana became a republic in 1960, Nkrumah sought the backing of the Parliament, where he had a majority vote, to transform the country from a multi-party democracy to a one-party state. During his rule, the military forces were slowly modified to reflect the changing political realities, which, in most cases, was not easy. The changes in policies and politics by Nkrumah always resulted in tension between his Government and the Armed Forces.<sup>15</sup>

The military felt the Commander-in-Chief, Nkrumah, was threatening its independence setting the military on a collision course with him. Nkrumah, realizing that the military was not too happy with his interference, dismissed all 80 top British Officers including the Army Commander Major General Alexander, and replaced them with the Ghanaian officers.<sup>16</sup> The independence of the authority of the military was further eroded when a special military force, the President's Own Guard Regiment (POGR), was formed as a parallel force and placed directly under his office. This parallel force was to protect Nkrumah and his regime from all threats, including the Ghana Armed Forces. Even though this force was better paid and equipped, it was far too small to defend the nation.

The coup of 1966 occurred as a result of the interference of the government in military activities. Most Ghanaian officers before the coup were either trained in Great Britain or trained in Ghana by a British training team. The President's personal security

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<sup>14</sup> W. Cutteridge, Military Institutions and Power in the New States (New York: Praeger Publishers, 1965) p. 100.

<sup>15</sup> One of these was the military's misinterpretation of Nkrumah's relationship with Patrice Lumumba. The military was unhappy about the possibility of being sent to fight against UN forces, which were considered allies. This was at the height of the Cold War, and the situation there was highly charged. (Bob Fitch & Mary Oppenheimer, Ghana: End of an Illusion. Published by Monthly Review Press New York 1966).

<sup>16</sup> W. Gutteridge, The Military in African Politics. (London: Methuen & Co., Ltd. 1969) p. 103. See also Ghana: Recurrence and Change in a Post-Independence African State (Peter Lang.: New York 1999)

force was, however, trained in the Soviet Union. A few of the officers, however, benefited from military training assistance from the United States and Canada. The Ghanaian officers trained by the British tended to judge their African experience by the norms of British society and values in the British officer corps. One of the coup leaders, General A.A. Afrifa, who was then a colonel, in an interview after the coup with the *London Observer* of March 13, explained why the Ghanaian officers did not like the Nkrumah regime:

We've lived in Britain before, and therefore, didn't like this dictatorship. There was no freedom of the press or of the individual- things we know are fundamental human rights. Nkrumah introduced party politics into the army. He took a man with no training as an officer, Mr. Hassan, appointed him a brigadier general and put him in charge of military intelligence. Hence we had a situation in which mess corporals were watching commanding officers and reporting them. What greater insult to our intelligence and patriotism.

In another quarter, the belief is that Nkrumah caused a lot of dissatisfaction in the military by considering the members of his POGR as being better trained and more loyal to him. The President did not respect the expertise of the military and, therefore, never asked for professional advice. For example, during the United Nation (UN) Congo intervention in 1961, Ghana provided a contingent under the command of British Major-General H.T. Alexander and Colonel Ankrah, a Ghanaian, as his second in command. Both of these officers opposed Dr. Nkrumah's policy towards the Lumumba forces in Congo. He put his troops under UN command but maintained his longstanding support for Congolese President Lumumba by sending weapons secretly to the Lumumbaists. The two officers in charge of the Ghanaian contingent opposed this action which they saw as undermining the UN mission and interfering with the conduct of the operation.<sup>17</sup> This opposition causing Nkrumah to think that the British were out to sabotage him, and led him to relieve General H.T. Alexander of his command and replaced him with his second in command, The military found itself ideologically opposed to the government, making it very difficult for it to see itself as the defender of the country. As the government continued to establish itself both at home and abroad, the military felt more alienated

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<sup>17</sup> Robert Fitch & Mary Oppenheimer, *Ghana: End of an Illusion* (Publish by Monthly Review Press New York, 1968). p. 5

from the government and took steps to safeguard its interests and institutions by planning to overthrow that government.

All the achievements of Ghana were also credited to the African continent.<sup>18</sup> Therefore, when Ghana took on Pan-African militancy and support for liberation movements as well as the anti-neo-colonialism posture in 1965, the western world naturally felt threatened.<sup>19</sup> Some believed that the U.S. Central Intelligence Agency (CIA) played a role in the overthrow of Dr. Nkrumah.<sup>20</sup> Whether or not this was the case, external forces feeling threatened by Ghana's lead in anti-capitalist, the anti-colonial struggle and its Pan-Africanist posture saw the military as a welcomed ally.

On the domestic front, Nkrumah believed that rapid modernization of industry and communications was necessary and achievable if the workforce was completely Africanized and educated. In contrast, the political opposition and the economic elites in the country felt these things must be accomplished at a pace that the economy could handle. Nkrumah set about to achieve these goals by introducing the preventive detention Acts of 1958, 1959 and 1962 to eliminate the elite and traditional chiefs in the opposition camp who might hinder his progress towards achieving a one-party state and a socialist economic posture.

Nkrumah's drive towards Pan-Africanist adventures created new sources of opposition domestically with the presentation in July 1961 of the country's first austerity budget, which brought workers and farmers face to face with the cost of Nkrumah's programs. Their reaction set the model for protests over taxes and benefits that have dominated Ghanaian political crises ever since. The population at this point started losing faith in Nkrumah's government and this became another opening for the coup of 1966.

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<sup>18</sup> Ghana was the first Black African country to emerge from colonial rule after independence from Britain in 1957 and before independence she was one of the most politically advanced African colonies. Ghana again projected itself among the Black nations of the world when it produced the first Black president of the United Nations General Assembly. Alex Quaison-Sackey who was the Foreign Affairs Minister under Dr. Nkrumah's government was elected the president of the UN General Assembly on December 1, 1964.

<sup>19</sup> This was in the heat of the Cold War. It was felt that any move by Ghana could course a big swing in the Africa South of the Sahara towards communism.

<sup>20</sup> According to the testimony given to Senator Frank Church, chairman of the US Senate Foreign Relations Committee during a congressional hearing in 1975, he focused on the CIA's illegal activities, which included assassination of foreign leaders. See also Godfrey Mwakikugile, Military Coups in West Africa Since the Sixties (Nova Science Publishers, Inc. Huntington NY 2001) p. 39

The coup of February 24, 1966 was led by the military and the police. A ruling council made up of senior military and police officers assumed the executive branch and the legislative power through the National Liberation Council (NLC). The NLC started to roll back the socialist policies of the CPP government by liberating the economy from the clutches of the state. It drew up proposals intended to promote more social development. Perhaps the most far-reaching policy direction of the NLC was introducing Ghana's economy to outside influence. This became very important because, by 1966, the state had become the predominant player in the economy of Ghana.

The NLC adopted a privatization program to ensure the general development of the country and also chose individuals whose objectives and interests were different from the previous government's stated aims. The thrust of the NLC's economic policies was to move in the direction of undoing and dismantling a state-dominated economy, which despite its drawbacks had the potential to be more self-sustaining.<sup>21</sup> However, the military's inexperience in governance soon resulted in the NLC approving whatever recommendations were put before it by the same civil service that had worked under Nkrumah. Public outcry on the increasing powers of the bureaucracy led to the appointment of commissioners to head government departments in the late 1966. This change did not affect the substance of the policies, but only replaced top civil servants with purely political appointees who were outside the service. As it became increasingly difficult for them to run the country, the military and the police created two policy-making advisory bodies, the Economic Advisory Committee (EAC) and the Political Advisory Committee (PAC). The EAC became very powerful because of the priority accorded the economy by the NLC. The EAC was charged with attracting foreign capital, restoring economic relations with the West and stabilizing the budget process.<sup>22</sup> All six members of the committee were senior civil servants who had been opposed to Nkrumah's economic policies, and favored orthodox economic policies as advocated by the International Monetary Fund (IMF).

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<sup>21</sup> The immediate effects of these policies of the NLC on wage and salary earners were the massive retrenchment and rising cost of living that followed. For as part of the usual IMF/World Bank prescription for deflating the economies. The public sector demand for labor was so drastically cut that by 1967 about 60,000 unemployed people had been returned to the labor market. (Observation by K. Ninsin)

<sup>22</sup> Robert Dowse, *Military and Police Rule* (in Austin and Luckham, ed., *Politicians and Soldiers*. New York Holmes & Merier Publishers 1976). p. 22.



The second advisory committee, PAC, was made up of politicians who had opposed Nkrumah before and after independence. This group, before the coup, had no chance to operate as a political party due to the declaration of Ghana as one party state. Clashes and disagreements took place between the EAC and PAC making it very difficult for the NLC to rule. Nevertheless, the military remained solidly behind the NLC. It was, therefore, no surprising that the national defense budget doubled from 24.4 million new cedis in 1965 to 54.2 million new cedis in 1966.<sup>23</sup>

The general population and the workers of Ghana initially gave their support to the military because they had borne the brunt of the economic downturn in the country before the coup. The military included the workers' leadership in the PAC, but the economic policies forced on the country by the IMF ostensibly to revive the economy made it very difficult for the military to meet workers' demands. The most injurious was the IMF-inspired retrenchment policy, laying off many workers. Another IMF-inspired policy was the devaluation of the currency, which resulted in very high inflation and high prices of goods. This finally resulted in civil unrest and the military's unpopular position with civilian population. There was labor unrest and strike actions by workers which further crippled the failing economy.<sup>24</sup>

The NLC soon found itself under intense criticism from all sections of Ghanaian society. Predictably, a group of young officer attempted to overthrow the NLC in April 1967, and General Kotoka, one of the architects of the 1966 coup, was killed. Feeling so pressured from all sides, the NLC made plans to hand over to those politicians, mostly in PAC, who had since the advent of the coup in 1966 been hoping to take power. Elections were organized to turn the country over to a multi-party regime. Most of the politicians in the PAC came together to form the Progress Party (PP), which won the elections in October 1969 and became the new Government of Ghana. Since the EAC members

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<sup>23</sup> Immediately after the coup, bonus payments were made to all officers and men as a reward for their services in supporting the coup. Akwasi P. Osei, Ghana. Recurrence and Change in a Post- Independence African State (Peter Lang New York 1999) p. 83. See also Ocran, *A Myth Is Broken*, The personal account of the coup. And Afrifa, *The Ghana Coup are full of Military Grievances*.

<sup>24</sup> In January 1967, 5,000 workers at the largest gold mines in Ghana - the Obuasi gold-fields - went on strike; this was followed by another strike action by railway employees at Sekondi/Takoradi that resulted in stoppage by 2000 workers at the Port. The strike action continued and within the three years of the NLC's rule there were over 100 strike actions.

continued in their senior civil servants positions, policy making lost neither step nor orientation during the transition from the NLC to the PP regime.

Evidently, politicians who were opposed to Nkrumah and had no way of taking power away from him had to work their way to power through the military. The military got international support for the coup because it was able to put a halt to the Pan-Africanist and anti-neo-colonialist posture of the Nkrumah's government, which was seen as a threat to the region by the West due to the involvement of the Soviet Union.<sup>25</sup> The participation of the ex-politicians in the PAC made the military feel as though the civilians had accepted them into the political system of Ghana. The lesson learned was a dangerous one: as the managers of violence, the military concluded that it had to set aside the Constitution and intervene when it felt that its interest and those of the nation were not being taken care of by the ruling government.

#### **D. THE COUP OF 1972**

Following the election of October 1969, the Progress Party (PP) became the government of Ghana under the leadership of Dr. K. A. Busia, who became the Prime Minister and was the head of both the PAC and the Center for Civic Education (NLC's most visible political institution). Most of the members of PAC carried on with the same appointments they held under the NLC, so in effect, it was only the ruling government that changed and not the policy direction.<sup>24</sup> As a result, the economic situation in Ghana did not change but continued to be bleak with serious balance of payment problems, high unemployment, high prices of goods and shortages of needed commodities.

The PP could not deliver its rural development promise made during the election campaign because of the continuous drop in cocoa prices worldwide (Cocoa is the major foreign exchange generator for Ghana). The situation of the economy became so bad that the PP government had to devalue the Ghanaian currency by 44 percent vis-à-vis the US

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<sup>25</sup> This was at the height of the Cold War and the West would support any action, which in their interest would stop the spread of Communism or Soviet influence in the world.

<sup>24</sup> For example the Attorney General under the NLC, Victor Owusu, assumed the same position in Busia's cabinet. See also Akwasi P. Osei, Ghana: Recurrence and Change in a Post-Independence African State. (Peter Lang Publishing New York 1999) p. 84

dollar. This move greatly devastated all sections of the economy overnight. This devaluation hit the average worker so hard that in 1969 alone the government recorded 51 strikes in which 28,000 workers participated. In 1970 the number of strikes by workers had risen to 55. These strikes demonstrated the workers' displeasure with the Government's policies and made the Government very unstable. Workers at this point joined up with other oppressed groups such as the National Union of Ghana Students (NUGS) to oppose government policies.

During this period, the military remained in the barracks and did not interfere with what was going on between the workers and the government. The Prime Minister, however, feeling his government was threatened, resorted to the same measures that had led to Nkrumah's down fall. First he banned the Trades Union Congress (TUC), the official labor movement,<sup>25</sup> and all workers union activities. Second, as the CPP did, the PP in an arrogant misuse of State power, dismissed over 500 civil servants even after the Supreme Court had ordered a halt to it. Third, as the CPP had done, the PP regime set aside the ruling of the Supreme Court in one case of a dismissed civil servant by refusing to reinstate him. Fourth, the PP regime sought to control the military, which had been calm during all this period, by dismissing some unsympathetic senior officers just like the CPP had. Fifth, the PP regime prevented its political opponents from gaining any political foothold and attempted to crush them by promulgating a law that banned all direct and indirect mention of Nkrumah and the CPP, just like what the CPP had done to its opposition.

Dr. Busia's government alienated itself from its support base to the point that the favored members of the government's support base began to turn against its policies. An example was the National Chamber of Commerce, which supported the government's laissez-faire economic policies, but later came out strongly against those same policies.<sup>26</sup> The government was again alienated in its foreign policy when it called for "dialogue" with the illegal apartheid regime in South Africa, after Ghana had joined the rest of Africa in calling for a liberation struggle.

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<sup>25</sup> K. Ninsin, "Ghana, Failure of a Petit- Bourgeoisie Experiment", in Africa Development. (Asempa Publishers Accra Ghana 1987). p. 44 & 45.

<sup>26</sup> Akwasi P. Osei, p. 86

The final action by Busia, which pulled the military back into politics was his attempt to preempt a possible coup d'état by rearranging the military command structure, putting officers sympathetic to his party in sensitive positions. General Ocran, one of the ruling members of the NLC, made an interesting observation that "in Africa a contented army, however small, is the pillar of security and economic growth."<sup>27</sup> As long as the military is not happy with government policies that affect its established institutions, any effort at stability and economic well-being would be seriously undermined. The military in Ghana has proven to be a lightning rod for political upheaval at times of socioeconomic decline. However, in almost all the interventions, the military has failed to live up to expectations.

Colonel I.K. Acheampong led the coup of January 13, 1972, which overthrew Dr. K.A. Busia and sought to create a truly military government, National Redemption Council (NRC), unlike that of the NLC. The Council was reorganized into the Supreme Military Council (SMC) the same year with its membership restricted to all the service commanders and some senior military officers. In Colonel I.K. Acheampong's maiden broadcast he said the military had moved in to restore its eroding material benefits and also to protect the "few amenities" that they had left, which the Busia Government was taking away.<sup>28</sup> In 1966, the military felt Nkrumah was meddling in its affairs by dismissing officers, and forming a para-military Presidential guard. In 1972 the military again felt the Busia Administration was interfering by shifting commanders, promoting sympathizers, meddling in their affairs and cutting the military budget.

#### **E. THE COUPS OF 1979 AND 1981**

The intent of creating a purely military government by the SMC was to consolidate the military's hold over the government administration. This objective was not met. The military, still lacking the expertise to run a government successfully, had to call on the same senior civil servants for advice and also to lead the way in administering the government ministries and establishments. Even though senior military officers were

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<sup>27</sup> Ocran, *A Myth Is Broken* (London: Longmans. 1968) p. 103

<sup>28</sup> Ibid. James L. McLaughlin and David Owusu-Ansah Ghana. p. 43

appointed to head various ministries as commissioners, this did not cause any serious change in the policy direction economically or politically. The inclusion of the service commanders as members of the ruling body (SMC) was intended to maintain effective power by transferring military hierarchy into the political realm. However, the officer Corp became more interested in politics and gave very little attention to their role as military leaders. This caused a lot of dissatisfaction in the rank and file of the military, which affected discipline, morale and professionalism.

In 1977 the SMC, in a bid to solidify its hold on power, proposed the formation of a union government (UNIGOV) but this was strongly opposed by all sections of the population, especially from the petit bourgeois, national intelligentsia and students. The SMC went ahead and organized a referendum on the UNIGOV but the opposition organized the population against the referendum, and it was rejected. The opposition later organized rallies and meetings against the SMC but the council replied with the force of the military, resulting in many deaths in Kumasi (the second largest city in Ghana) on February 4, 1978.<sup>29</sup> At the same time the government was facing opposition from within the country, falling export prices on the world market were creating serious balance of payment deficits, further lowering the morale of both workers and farmers. The resultant strike action by workers and professionals forced the government to resign. For the first time in the history of Ghana civil servants went on strike. Between August and November 1978 alone, there were eighty strikes.

The SMC attempted to make some changes in its own structure by forcing the leader and Head of State, General Acheampong, to resign as member of the Government. The other generals sacrificed their leader, accusing him of running a “one-man show” but this did not stop the desire and the will of the population to return to a multi-party rule. Strikes continued throughout the year attracting groups like doctors, engineers, nurses, teachers, sanitation workers, civil servants, university lecturers and students. The SMC ended up creating a united opposition front, which found expression in groups such as the People’s Movement for Freedom and Justice (PFMJ), and the Front for the Prevention of Dictatorship (FPD). The objective of the civil disobedience was to remove the SMC

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<sup>29</sup> Ebo Hutchful, A Tale of Two Regimes: Imperialism, the Military and Class in Ghana Review of African Political Economy, No. 14 Jan.-April 1970 p. 53

regime from power, and again the strike actions were met with swift repression by the military and the police. During these periods the junior ranks of the military felt that the crises affecting the nation were brought on by actions of the military hierarchy in power and not just one man. On May 15, 1979, a junior Air Force officer, Flight Lieutenant Jerry Rawlings, attempted a coup d'état with a few other soldiers.

At the court martial, Flight Lieutenant Rawlings articulated his frustration with the neglected section of the military, the junior officers and the ranks. These frustrations were the same for the average worker. On June 4, 1979 he was released from jail during an uprising (mutiny) by some soldiers, which later succeeded in overthrowing the SMC regime. The clash was quite bloody between the rank and file of the military and their senior officers, resulting in a number of deaths. The Armed Forces Revolutionary Council (AFRC) made up of junior officers and ranks was formed as the new ruling body. For the first-time junior officers and the ranks tasted political power, and like the senior officers before them, developed the will to do it again when the chance comes.

The first thing the AFRC did was to try all the SMC members and execute them with General Acheampong who had been sacked by then. The major aim of the AFRC was to carry out a “house-cleaning” exercise removing corruption, which had gone into the roots of the Ghanaian society, by setting up special courts to try people for corruption and other vices. Beyond that, the AFRC stuck to the plan of the SMC and handed over power to civilians after multi-party elections three months after taking office.

The People’s National Party (PNP) won the elections and its leader, Dr. Hilla Limann, became the President of the third Republic in December 1979. Dr. Limann’s government did not succeed in rejuvenating the economy. It deteriorated rather rapidly in 1980-81, partly because of crop failure, the poor economy, the introduction of press censorship and widespread corruption, which led to discontent with Limann’s administration. The junior officers and ranks that had tasted political power for a short time felt they made a mistake in handing over power and, therefore, had to come back and “save” the country. So on December 31, 1981, Rawlings overthrew Dr. Limann’s government declaring that it had brought Ghana total economic ruin. He suspended the Constitution of Ghana and appointed a seven-man military and civilian council to help

him rule. This coup failed to receive the same popular support that the previous one received from the Ghanaian population. A number of Ghanaians were killed during the coup and many more fled to neighboring countries. Limann and about 200 officials of his government were imprisoned.<sup>30</sup>

The Provisional National Defense Council (PNDC) government did not receive much support from outside Ghana, forcing the regime to turn to Libya for support through reestablishing diplomatic relations with it. Libya reciprocated with financial and food aid to the PNDC Government. The Soviet-bloc also sent economic help. The Government called on the same civil servants, and some old, and up-and-coming politicians to help rebuild the country, but the deteriorating economic condition persisted. The PNDC drew a lot of criticism from the student movement that remained the strongest opposition to military rule. The Ghana Bar Association (GBA) and the student movement repeatedly demanded the resignation of the ruling PNDC.

During the period 1983 to 1992 a number of coup attempts were made but the Government survived it all. To revive the failing economy the government adopted economic recovery measures as proposed by the International Monetary Fund (IMF) and the World Bank. Ghana's economic performance became so impressive in the late 1980's that it was cited as a model of excellence for other African countries to follow. Even the United States, which was not friendly with the PNDC regime acknowledged this when Herman J. Cohen, the United State Assistant Secretary of State for African Affairs stated in 1989.

All of the US development assistance money for Africa, which is about \$550 million and will be the same next year, is concentrated in those countries, which are making the greatest effort (to reform their economies). So, if you look down to list of countries that are making the greatest effort, you'll see the U.S.'s biggest allocation of funds. And this includes countries, which are not necessarily friendly to the United States, like for example, Ghana. We've had big differences with Ghana over the years, but since they are the best performing country, it shows our highest priority is in rewarding countries.<sup>31</sup>

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<sup>30</sup> Jerry Rawlings, in *Ghanaian Times*, Accra Ghana, January 1982; Reader's "Digest Almanac and Yearbook: 1986 (Pleasantville, New York: Readers Digest Association, 1985) p. 564.

<sup>31</sup> Herman J. Cohen, in an interview with Margaret A. Novicki, "*Forging A Bipartisan Policy*" in Africa Report, September-October 1989 p. 19

The success of the economic environment was, however, not felt at home. Austerity measures left workers and the urban poor as dissatisfied as ever. International and domestic pressures forced the PNDC to embrace democratic rule as a means of getting more investments and, also, conforming to the requirements of the time. The fourth Republic was born with the election of Jerry John Rawlings as President in December 1992.

## **F. THE ROLE OF NATIONAL INTELLIGENCE IN CIVIL-MILITARY RELATIONS**

Intelligence has played major roles in all the regimes and political institutions that have characterized the administrations of Ghana since independence. Government upon government used the nations intelligence apparatus to suppress opponents and instill fear in the general populace. In addition, almost every government misused military intelligence seeing it as a useful vehicle for preventing coups and maintaining firm control of the military. The Gold Coast did not have any intelligence outfit in the colonial period. This resulted in the Government not being aware of the political disturbance of 1948 before it occurred. In response, the Special Branch of the police was established as the intelligence and security branch of the police in Ghana by the colonial Government. After independence, however, Nkrumah's government felt the need to separate the Special Branch from the police administration and the Police Chief. This ensured that political intelligence necessary for the security and governance of the nation did not go through the Chief of Police before reaching the office of the President. The National Security Council came directly under the President and the Special Branch became an agency of that.

The need to control intelligence became very vital during Nkrumah's administration. He was able to use it against all those who opposed his administration. It was also used effectively against the press so that the press only reported what was perceived as good in the eyes of his party.<sup>33</sup>

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<sup>33</sup> An example is when a reporter had spent a week in a paper processing factory to identify the problem with production and to write an article on it. His boss before publishing the article changed a



Nkrumah had total control of domestic intelligence, but still felt the need to control military intelligence in order to stop opponents from gaining some favor in that direction. This, I believe, was the main reason why Mr Hassan, a civilian without any military knowledge, was promoted to the rank of Brigadier and made Director of Military Intelligence. This civilian could not be expected to function properly without politicizing the military profession.<sup>34</sup> The morale in the service was seriously affected and it marked the beginning of the end of Nkrumah's regime.

When the NLC administration came into office, J.W.K. Harlley who was the Vice Chairman of the Council and Inspector General of Police moved the Special Branch from the National Security Council back to the police administration. Military intelligence continued to be controlled directly by the leader of the Council. This shows that throughout the changing phases of the political system in Ghana, military intelligence continued to be under the executive branch.

Intelligence agencies and their mode of operation have been a source of concern for almost every government. Every change of government has resulted in the directors of both the Special Branch and the Defense Intelligence being sacked or chased out of office. The reason for this is that governments have always manipulated the intelligence apparatus and its personnel to suit their needs and also to suppress opposition activities. Anytime a coup takes place, one of the groups of people that the coup instigators try to hunt down is the intelligence operators and their directors, both in the Special Branch and the military intelligence outfits. This has had adverse effect on continuity with respect to intelligence gathering and professional efficiency of the operators and analysts. In some cases, this has led to innocent people being arrested and charged with plotting to overthrow the Government. Some examples of these cases are given by Kofi B. Quantson in his book, *Chapters from the Intelligence Sector*.<sup>35</sup>

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whole lot with the view that he cannot write about the government's incompetence. (Kofi B. Quantson, Ghana Peace and Stability A Chapter from the intelligence sector. NAPASCOM LTD Accra 1995) p. 70 to 72.

<sup>34</sup> Ibid.. Bob Fitch and Mary Oppenheimer, p. 5

<sup>35</sup> Kofi B. Quantson, Ghana: Peace and Stability. Chapter From The Intelligence Sector NAPASCOM Ltd Accra 2000. p. 216-217.

Following the abrasive security surveillance on Flight Lieutenant J. J. Rawlings, Captain Kojo Tsikata and some of the ex-members of the Armed Forces Revolutionary Council (AFRC) that handed over power to Dr. Hilla Limann's People National Party (PNP) experienced subsequent harassment that was both unprofessional and unprofitable. It has been clear to all involved that when a regime falls members of the intelligence agencies are in for trouble. As a result, the defense intelligence outfit shifted from its basic roles and concentrated on counter-coup, and harassment of those not supporting the government. Intelligence collection and other activities of the department were sacrificed for following opposition politicians. Not surprisingly a systematic disbanding of the Defense Intelligence Department and the dismantling of the Special Branch followed the 1981 coup.

The Special Branch was reorganized by the PNDC government and renamed Bureau of National Investigations (BNI). A few of the old hands were retained, while new young men were recruited. Distrust between the old staff and the new staff, who found the old staff to be part of the old establishment and, therefore, possibly disloyal to the PNDC Government, was a problem. Most of the new staff were recruited from students and youth who supported Rawlings two administrations and who saw themselves as revolutionary radicals with an unyielding inflexibility towards people they did not consider as one of them.<sup>36</sup> Another problem that the BNI faced was that most of the newly recruited staff were sent to Cuba for training. They came back exhibiting ideological radicalism in interpreting the economic policies of the PNDC. This staff viewed the World Bank (WB) and the International Monetary Fund (IMF) as imperialist/capitalist institution out to block the progress being made by Ghana and other countries. It reached a point where their ideological beliefs were running high above what was required of them in performing their duties. This, therefore, made them enemies of the general society as well as all those who were opposed to military rule.

During all this period the military did not have any department for defense intelligence, but the individual services continued to have small intelligence cells attached to their operations department. The general belief was that any intelligence

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<sup>36</sup> Ibid. Kofi B. Quantson (2000) p. 213

department would invariably be used against the soldiers themselves, finally affecting the stability of the nation as a whole and the military in particular.

## **G. CONCLUSION**

The military in Ghana has been involved in politics since the time of the pre-colonial period when Ghana was referred as the Gold Coast. The Ashanti Empire, which forms part of the present day Ghana, emerged around 1700 principally by waging wars of conquest against other states. The British used the military force that was in existence in the Gold Coast and the rest of the West African colonies to form the nucleus of the Royal West African Frontier Force (RWAFF). As far back as 1898, the Gold Coast provided a quota of the RWAFF, which was used extensively in the World Wars and the control of the Colonial States in the region. The British relied on the military of the then British West Africa to defeat the Ashanti power. In addition, in the Gold Coast, the military was always called upon by the British to preserve order in the colony by engaging in police duties, suppressing internal unrest and rebellions. On attaining independence in 1957, under Dr. Kwame Nkrumah and the Convention Peoples Party (CPP), the British presence remained in Ghana's military with 200 British officers as against 25 junior Ghanaian officers.

Dr Nkrumah was overthrown in a military coup following his creation of a one-party state, run down of Ghana's economy, interference in the military structures and creating a parallel military force, the Presidents Own Guard Regiment (POGR). Following the coup of 1966, three more interventions in Ghana have occurred for the same reasons: economic mismanagement, suppression of opposition activities, interference in military institutions and structures, and disregard for human rights. The military in all these interventions have ruled alongside with the same civilians that they had overthrown. This has been so because of total lack of expertise on the part of the military. The military, having been involved in the first coup, became part of the political system.

Intelligence institutions and apparatus have suffered under all the forms of governments that Ghana has had since independence. Governments have always tried to

use the intelligence agencies to perpetuate their stay in power. This has led to intelligence organizations being perceived by the general population and those in the opposition as a threat to their existence. So every change in government has resulted in the intelligence apparatus being dismantled or in some of those working in the service being sacked. This has always affected the Government's efficiency and professionalism because of its lack of continuity.

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### **III. CIVILIAN CONTROL OF THE MILITARY IN THE FOURTH REPUBLIC**

#### **A. INTRODUCTION**

As Ghana prepared to move towards constitutional rule in the late 1980s, a consultative assembly was established to draft the new Constitution, which was voted on in 1992 and came into effect on January 7, 1993. It provided the basic charter for the country's fourth attempt at republican democratic governance since independence in 1957. The constitution declared Ghana a unitary republic with sovereignty residing in the people. It was written with a view to preventing future coups, dictatorial governments, and one-party states. The Constitution is designed to foster tolerance and power sharing. During the document's drafting, lessons learned from the abrogated constitutions of 1957, 1960, 1969, and 1979 were incorporated, along with provisions and institutions drawn from the British and the United States Constitutions. After three sets of free and fair elections since 1992 Ghana can now be said to be consolidating its democracy. Thus the chapter identifies areas where the legal framework for civilian control of the military could be strengthened to reflect the maturing of Ghana's democracy.

The 1992 Constitution, being the supreme law of the land, provides for the sharing of power among a President, the Parliament, the Cabinet, the Council of State and an independent judiciary. A system of checks and balances was incorporated to avoid bestowing absolute power on any specific branch of government. Additional checks and balances were established within the executive branch. Executive authority is to be shared by the President, the twenty-five member Council of State and the numerous advisory bodies including the National Security Council. Neither set of checks and balances has entirely worked as expected. The President is head of State, head of Government, and the Commander in Chief of the Armed Forces of Ghana, and has the authority to appoint the Vice President. In drafting the constitutional provision, the Rawlings Administration, which was then the government, had an interest in maintaining the presidential supremacy during the period of redemocratization. Therefore, the 1992 Constitution created extensive power in the executive branch. The Constitution created a

hybrid of a presidential – parliamentary system in which the President is ultimately responsible for determining policy and is vested with the power to appoint more than half of the members of State bodies used as a form of oversight control over the executive branch. While respecting the authority of the President, care must now be taken to balance the executive’s control of the military with some form of oversight mechanism as a means of ensuring effective control of the military by the civilian authorities overall.

This chapter first analyzes the relationships between the executive branch, the Ministry of Defense and the military as stipulated in the Constitution and in practice. It then proposes some institutional mechanisms to balance the executive branch’s control of the military against the structures inherent in the military to ensure its efficiency. These mechanisms would also help to make the military more professional and apolitical. The chapter further discusses the relationship between the legislature and the military under the Constitution with the purpose of identifying shortfalls in the civilian control mechanisms, and proposes means by which the legislature can get more involved with issues concerning the military, giving it the ability to exercise some form of oversight control over the military and the executive branch. Finally the role of intelligence agencies and organizations involved in the democratic process in Ghana will be analyzed alongside the Security and Intelligence Act of 1996 (Act 526). Suggestions are made on the functioning of the intelligence agencies with the purpose of balancing their activities with the requirements of the democratic process while, at the same time, ensuring both secrecy and transparency. Lastly, the chapter presents the issue of the military’s intelligence apparatus involvement in domestic intelligence activities.

## **B. THE EXECUTIVE BRANCH -MINISTRY OF DEFENSE AND MILITARY RELATIONS**

The Constitution of Ghana gives the President the power to commit or deploy the military, in consultation with the Council of State. Article 50 Section (1) of the Constitution of Ghana states “there shall be a President of the Republic of Ghana who shall be the Head of State and Head of Government and Commander-in-Chief of the Armed Forces of Ghana.” The Minister for Defense is, therefore, a representative of the

President with responsibility over the three services: Army, Navy and Air Force through the Ministry of Defense (MOD). The MOD is the ministerial organ in Ghana responsible for supervising, coordinating, maintaining the defense machinery and war fighting equipment of the Republic of Ghana.

The Constitution also makes provision for the creation of the National Security Council whose members include, in addition to others, the following as stated in the article: the Minister for Defense, the Chief of the Defense Staff and two other members from the Armed Forces as well as the Director General of Defense Intelligence. The President is supposed to make all decisions affecting national security with support from the members of the Council.<sup>26</sup>

The Council of State is established as a means of ensuring good relations between the executive branch and all arms of government, as well as the military. The Council of State by its structure, as stated in Article 89 of the Constitution of Ghana, has no power or authority over any organ of State, but is designed to be the highest advisory body guiding the executive branch in its exercise of control over all arms of Government

The membership of the Council of State is twenty-five (25). Eleven of the members are appointed by the President, and an additional four are selected by him after consulting with the Parliament. The ten regions in Ghana each elect a member; however, since the President has the majority in the Parliament, this gives him overall control of the twenty-five-member council. The present democratic system, in which the President's party has a large majority in the Parliament, facilitates the President in convincing the Council on what the military should do, which could draw the military into politics, affecting professionalism. Only an unbiased council as the highest advisory body and watchdog for the executive branch, can guarantee an apolitical military. It is only then the opposition will have confidence in the military as an autonomous institution, which can be expected to remain neutral and loyal to the government of the day. While the Council of State is to be non-partisan, its composition under Article 89 of the Ghanaian Constitution makes it unlikely that it will have no political leverage. Thus, the executive

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<sup>26</sup> Article 58 (1) of the constitution of Ghana has vested that authority in the president, but this has not been so in the past regimes. Presidents have all along acted unilaterally



branch can, at any point in time, manipulate the Armed Forces to one side interfering with the military structures and institutions.

Every civilian government since independence violated existing constitutional mechanisms to perpetuate its stay in power, while interfering in the military institution. All though the 1992 Constitution makes provision for the Council of State and the Armed Forces Council to be consulted by the executive branch on matters affecting defense, it still allows plenty of opportunity for the executive branch to “highjack” the military for its own interest and to eliminate opposition to the incumbent. This is exactly what happened during the rule of the National Democratic Congress (NDC), when the opposition was portrayed as hostile to any program that would benefit the military institution.

An amendment is needed to the Article on the organization of the Council of State so that executive branch nominations and appointments of members to the Council are equal to or less than those being elected from the regions.<sup>27</sup> The President would then have to seek consensus for action, and the Ministry of Defense would have the added task of educating and informing the legislature as well as the Council of State on behalf of the President.

Article 211 of the constitution of Ghana states that “there shall be established an Armed Forces Council which shall consist of

- (i) The vice-president, who shall be chairman.
- (ii) The Ministers responsible for defense, foreign affairs and internal affairs.
- (iii) The Chief of Defense Staff, the service chiefs and a senior Warrant Officer or its equivalent in the Armed Forces, and
- (iv) Two other persons appointed by the President acting in consultation with the Council of States...”

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<sup>27</sup> Article 89 Section (2) a, b, and d of the 1992 Constitution of Ghana makes provision for the President to elect and appoint some members of the Council of State.

Article 212 also gives power to the President, in consultation with the Armed Forces Council, to appoint the Chief of Defense Staff, the Service Chiefs and the officers to command positions. Article 214 states that the Armed Forces Council shall advise the president on matters of policy relating to defense and strategy including the role of the Armed Forces, military budgeting and finance, administration and the promotion of officers above the rank of Lieutenant Colonel or its equivalent. Section B of the same article states that “the Armed Forces Council may, with the prior approval of the President, by constitution instrument, make regulations for the performance of its functions under this constitution or any other law, and for the effective and efficient administration of the Armed force.”

The President appoints the members of the Armed Forces Council including the head of the military component. This, to some extent, allows the Armed Forces Council to function in the same way as the Council of State because the executive branch can, at anytime, influence its decisions and actions. To avoid this and also build the confidence of the opposition parties and general population in the military, an amendment has to be made to the Constitution’s provisions. The Council should be reconstituted under the name Defense Committee with its membership including the original military component, the Vice President as Chairman, and the parliamentary sub-committee for defense (with fair representation of all parties in the Parliament).

### **1. Ministry of Defense (MOD)**

The President also exercises control over the military through the Ministry of Defense (MOD) headed by a minister of state. For the MOD to function and understand the military adequately, the MOD should have some institutions in place to ensure efficient and effective use of resources and to offer advice to the President on issues requiring action. The MOD is a bureaucracy, which like any bureaucratic institution, requires precision, speed and knowledge of the institution's function to ensure efficiency and effectiveness. The MOD serves to isolate the military institution from dealing directly with the executive branch, thus insulating the military from politics. The MOD has been in existence in Ghana since its independence from the British in 1957. It has

been the centerpiece in civil –military relations. However, it has not functioned adequately and has produced a lack of confidence and suspicion between civilians and the military, contributing to military interventions.

Although functioning reasonably well, the current MOD in Ghana still fails to perform all the functions for which MODs are generally established. Professor Thomas C. Bruneau, in an article on Ministries of Defense and democratic civil-military relations, describes four main tasks that MODs should accomplish for democratic consolidation.<sup>28</sup> Effective objective civilian control of the military in Ghana requires the MOD to fulfill these functions.

The four main tasks before the Minister for Defense in creating the MOD will be first, the MOD must be created to structure the power relationship between the democratically elected civilians and the Armed Forces. This first task is already in existence and working quite well in Ghana. Second, the MOD must allocate responsibilities between and among civilians and military officers, providing a fair representation of both civilians and military officers with necessary expertise. The MOD then becomes a buffer between politics and the Armed Forces. However, this is not yet the case with Ghana. The MOD in Ghana has two basic branches, directly under the Minister for Defense. These branches are military and civilian, with the military being the Chief of Defense Staff, services commanders and the General Headquarters under a Chief of Staff. A Chief Director heads the civilian side. All matters in relation to the military, which are to receive the attention of the executive branch, are forwarded through the Chief of Staff at the General Headquarters to the Chief Director for further submission through the Minister to the executive branch. Additionally a direct link exists between the Chief of Defense Staff and the Minister without going through the Chief Director. A fair representation of both civilians and military officers at the MOD helps the civilian authorities to present the needs of the Armed Forces more efficiently to other political figures, particularly the Finance and Economic Minister, and the electorate, in general.

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<sup>28</sup> Thomas C. Bruneau, “Ministry of Defense and Democratic Civil-Military Relations”, Center for Civil – Military Relations Naval Postgraduate School, Monterey CA. ([tbruneau@nps.navy.mil](mailto:tbruneau@nps.navy.mil)) 2001

Third, the MOD must maximize effective employment in the Armed Forces by implementing the policies and objectives of the Government in security and the defense of the nation. Finally, the MOD must ensure maximum efficiency in the use of resources like funds, personnel, and equipment.

The MOD in Ghana by its establishment is responsible for the formulating policies associated with the operations of Ghana Armed Forces (GAF) and the Veterans Association of Ghana (VAG) in the area of remuneration, provision of logistics and resources, which enable GAF and VAG to function efficiently. The MOD also works collaboratively with the National Security Council and the Armed Forces Council in formulating national defense policies related to internal and external security, the total defense of the nation, and peacekeeping operations. The MOD again prepares and defends its budgetary estimates in the area of defense before the Cabinet and the Parliament. Finally, the MOD provides political leadership, guidance and sound interpretation of government policies.<sup>39</sup>

The parallel structures that exist under the MOD make it difficult for the military and civilian to fully understand each other when it comes to professional expertise. As stated by Max Weber, “bureaucracy rests upon expert training, a functional specialization of work, and an attitude set for habitual and virtuoso like mastery of single yet methodically integrated functions.”<sup>40</sup> The MOD, therefore, needs to be equipped with an almost equal number of experts from both the military and civilian side so that when military issues are handled at the level of political decision-makers, the civilian representing the military can defend the military requirements. In doing so, civilians deal with their fellow civilian politicians while distancing the military from political influence. In addition, the military should structure its requirement for resources to meet the national security objectives. This can only be achieved if the bureaucrat and politician have a good understanding of the military institution and if the MOD has the required expertise to project the military. If the MOD is able to achieve these objectives, it can meet its goals at the lowest possible cost, have efficient use of limited resources, and

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<sup>39</sup> Address delivered by the Minister for Defense (Dr. Kwame Add Kufuor) to the members of the Council of State on November 29, 2001.

<sup>40</sup> H. H. Gerth and C. Wright Mills From Max Weber. Essays in Sociology (Oxford University Press New York 1958) p. 229

maintain absolute competence in the area of budget, personnel, acquisition and definition of roles and mission.

The Minister for Defense, Dr. Kwame Addo Kufuor acknowledges that Ghana has gone through a number of problems with respect to civilian/military rule and will, therefore, have to handle the current democratic transition with caution. Nevertheless, he sees the present MOD and its structures for control as being very efficient. In his view all that the Minister should do in this transition period is pull the military together and move forward. As a Minister he sees himself as only a representative of the government not acting on his own but implementing the policies of the government and the President, who is the Commander-in-Chief.<sup>41</sup> It is however, strongly advised that he considers reforming the institutional structures to facilitate greater understanding and cooperation between the civilian and military components in the MOD.

### **C. LEGISLATURE AND THE MILITARY**

The 1992 Constitution of Ghana, just like most countries in the West African sub-region, is silent on legislative oversight of the executive branch and the military. For the executive branch to be monitored so as not to interfere in the military institutions, some form of legislative oversight is strongly advisable. One of the most important problems in a democratic transition is the lack of dialogue between the legislature and the military. This problem has implications for consolidating democracy in terms of whether the legislature has the administrative capability to oversee military affairs in the area of operational and strategic capabilities with the military subordinating to civilian control. In the United States, for example, the Constitution makes provision for Congressional prerogatives, including the power to declare war, power of the purse, senate approval of all senior military appointments and the right to information from the Department of Defense.<sup>42</sup>

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<sup>41</sup> This was in an interview granted by the Minister for Defense, Dr. Kwame Addo Kufuor, on Tuesday December 17, 2001 at about 1300hrs in his office at Burma Camp, Accra.

<sup>42</sup> Article I Section 8 (14) of the Constitution of the United States.

Since these constitutional provisions establish the principle of civilian supremacy over the military, provisions are necessary for the subordination of the military to all three branches of government – the executive, the legislature and the judiciary. In Ghana, and in almost all the democracies in the West African sub-region, even though the National Assembly or Parliament has constitutional authority to declare war and vote on bills, they exercise very little or no control over the military. The control of the military and defense policies are decided at the level of the presidency in the Republics. This makes it more difficult for the military to stay neutral and apolitical. Opposition parties generally see the military as being on the side of the government and not the general population. For example in Cote d'Ivoire, because of the executive branch's control of the military, many Ivorians still regard the military with fear questioning the resources required to maintain the Army when the threat of external invasion or war is slim.<sup>43</sup> On the other hand, the military resents the civilian lack of understanding of its role and the civilian unwillingness to fully appreciate the positive evolution (ethnic diversity and educated recruits) in the military structure and function. This lack of appreciation among the opposition parties and the general population could be improved through effective legislating and good checks and balances between the executive and the legislature.

It is the norm in a democratic institution that only elected officials have the right to claim to represent the interest of the people. These officials have the power to delegate responsibility to other State institutions, such as the military. These institutions remain always accountable to the elected officials, and, therefore, the population. Additionally, for the legislature to abuse its authority is more difficult, since it comprises a group of individuals rather than a single person. Even though the President is an elected official, representing the majority, the interest of the minority has to be given due consideration, since the military serves the nation, not the majority. Without a constitutional provision to this effect, a country is destined to have problems with civil military relations. An example illustrating the power of the legislature is the United States Constitution, which listed 18 separate paragraphs on Congress' power with 11 of these being related

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<sup>43</sup> The statement was contained in the report of the military and civilian delegation from Côte d'Ivoire that took part in the seminar in the role of the Legislative in National Defense and Security at Dakar, Senegal from April 20-22, 1999. [Http://www.pdgs.org/partners/reporting.htm](http://www.pdgs.org/partners/reporting.htm)

explicitly to security.<sup>44</sup> Within the legislative branch there is another check: bicameralism. The two separate chambers would have to agree independently on the need for an Army and the resources for its support. The U. S. Constitution divides power over the military so that neither the executive branch nor either of the two houses has full control over the military.

In some of the third wave democracies like Ghana, there is insufficient legislative control; this is often symptomatic of the problems that legislatures face in asserting their autonomy vis-à-vis the executive branch. Constitutions are often silent on the role of parliaments in defense issues beyond implementing an armed force and the budget. Since the legislature has control over the budget, it can use its authority for some form of control over the military, resulting in an attempt to expand its level of influence over the executive branch and the military. In the long run, this serves the interest of the legislature and that of the military. Notable in Ghana and a good number of countries now transitioning/consolidating their democratic rule is that civilian control of the armed forces is being exercised almost exclusively through the executive branch. The legislature has always tried to distance itself from the military in the sub-region because it lacks the expertise and interest in matters that concern the military.

In Ghana, for example, Article 210 Section (1) of the Constitution indicates that “there shall be the Armed Forces of Ghana, which shall consist of the Army, the Navy and the Air Force and such other services for which provision is made by the parliament.”<sup>45</sup> Parliament after this has no legislative control or dealing with the military. Instead, Constitution has vested in the Armed Forces Council the authority to advise the President on matters of policy relating to defense and strategy, including the role of the Armed Forces, military budgeting and finance, administration and the promotion of officers above the rank of Lieutenant Colonel or equivalent. The Armed Forces Council may, with the prior approval of the President, by constitutional instrument, make regulations for the performance of its functions under this Constitution

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<sup>44</sup> Article 1 Section 8 of the Constitution of the United States of America. September 17, 1787

<sup>45</sup> The 1992 Constitution of the Republic of Ghana, Article 210 Section (1).

or any other law, for the effective and efficient administration of the Armed Forces of Ghana.<sup>46</sup>

There is a parliamentary sub-committee on defense in the legislating body. However, this sub-committee only checks the defense budget and submits it to the Parliament for approval. The legislature, therefore, exercises no oversight either over the military or the executive branch. The lack of oversight is an important factor that frequently ended the military in direct control and manipulation of the executive branch in most of the countries in the sub-region. The people of Ghana have, therefore, no way of contributing to how the military is employed or used to support the maintenance of internal security and national development. Due to the Parliament's lack of oversight control on the military in Ghana, it has always criticized the military budget and, in some cases, has reduced it. The Parliament has no means of explaining the need for increasing defense spending to the general population, since those in the legislature do not even understand or know what is required of the military. This allows the President to suggest to the military that the opposition in Parliament is against adequately funding the military, thus placing the military against the opposition parties.

The Solicitor-General of Ghana, at the Attorney General's Department, acknowledges the Constitution's silence on legislative oversight control of the military and the problems, outlined above, that are likely to arise as a result. He further stated that even though the Ministry of Justice is very aware and active, its duties do not give it any right to propose changes to the Constitution and that the Parliament is responsible for raising the issue for debate and discussion. Once the proposals have been brought up and accepted by the legislative body, his outfit can amend the Constitution for approval by the Parliament.<sup>47</sup>

An example of the legislature being bypassed on issues that affect defense and the nation is the disaster at the Accra Sports Stadium. In this case, the Cabinet ordered an Emergency Response Unit (ERU) established under the military to handle emergencies because the military has the infrastructure for communicating and networking across the

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<sup>46</sup> Ibid. Article 214

<sup>47</sup> Interview with Mr. Emmanuel A. Addo, the Solicitor-General of Ghana at the Ministry of Justice and the Attorney-General's Department on December 19, 2001.



country. The Minister for Defense, Dr. Kwame Addo Kufuor, responding to a question published in the Ghanaian Times Newspaper indicated that the Government has provided ₵400 million (Cedis = ₵, is a symbol for currency used in Ghana) to refurbish 10 mini-buses into fully furnished ambulances to facilitate the work of the Emergency Response Unit.<sup>48</sup> The Unit will function well for now. However, next year when money is required to run it nationwide, problems will inevitably arise. The legislature will be reluctant to increase the defense budget to take care of the ERU, and the military will be equally reluctant to channel part of its limited budget into the ERU. As a result, the good intentions on which the ERU was established could vanish/disappear. This same unit would have functioned better if the Cabinet had put the need for the ERU before Parliament. The legislature would have passed the necessary laws to create the unit placing it under the military due to its advantages. It would, then, be the responsibility of the legislature each year to vote on funding for the ERU to operate, an addition to the defense budget. There is, therefore the need for the legislature to have representation on the Armed Forces Council, in order to advise referral of issues of these nature to Parliament.

The ability of the legislature to exercise effective oversight, even with new Constitutional authority, will continue to be limited by its lack of expertise on military issues. This lack of expertise and interest on the part of the legislature in Ghana poses many challenges. These include a dearth of technical expertise in military issues, a lack of communication with their military counterparts, an inefficient use of the committee system, and inexperience with drafting legislation on defense issues. Until the democratic opening in the West African, defense policy and legislation drafting were traditionally the domain of a strong executive branch that also monopolized interactions with the military. As a result of this, legislatures in Ghana and elsewhere in the sub-region have been ineffective and have “rubber-stamped” whatever was forwarded to them by the executive branch. This ineffectiveness is partly due to economic and other constraints that legislatures in the third wave democracies face especially lack of supporting staff with the required expertise and training, and unaffordable technical advice from outside

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<sup>48</sup> The *Ghanaian Times Newspaper* publication of December 17, 2001. A new article was published for the Defense Minister's, Dr. Kwame Addo Kufuor, in response to a question from the New Patriotic Party's member of Parliament, Mr. Joseph Darko-Mensah, on the Emergency Response Unit.

consultants. Even though former members of the military are possible sources of in-house expertise, they are rarely used, which is unexplainable. It is worthwhile for the legislature to take a second look at tapping into the expertise of retired military officers to build or enhance the capacity within the legislative branch to review and analyze defense related issues, including the budget.

Increasing the interest of the legislature in defense issues will require legislative sub-committee on defense, to be fully accessed to achieve the desired goals. The members of the committee in Ghana could be given some incentives motivating them to learn more about defense while the military offers some personnel with expertise and experience to work for the committee. Important also is a balanced membership on the committee from both the ruling and the opposition parties ensuring fairness, and giving due consideration to selected members coming from constituencies with some military installations. These installations serve as a source of employment and also help to develop the areas. In countries where the members of the legislature are allowed to have their own staff, those on the legislative committee for defense should be certain that some of their staff have working knowledge in defense related issues. In the United States, for example, no two congressional offices are exactly alike. The personality, interest, constituency, and politics of the individual legislator shape each of the offices.<sup>49</sup>

Resolving the problem of expertise will also address the issues of adequate and appropriate financing, and improved institutional communication between the legislature and the military. The existing communication gap between the legislative body and the military hinders the democratic process. The legislature must be well informed about the military, its operations, and its readiness if it is to effectively work with the military in promoting the national agenda. For its part the military must learn the most effective way of communicating with the legislature. For example, by building skills for educating and informing the legislature, through other agencies.

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<sup>49</sup> A legislator will have to consider a State or District needs during the composition of his staff. A legislator with defense installations in his District or who happens to be a member of the Defense Committee will have to employ some staff with expertise in defense related issues. Congress and its Members, (R. Davidson & W. J. Oleszek 2000)

## **1. Legislation**

The legislature is responsible for enacting laws to ensure that the military carries out its roles as stated in the national defense doctrine and also to ensure efficiency and effectiveness. These can be laws that will cause changes in the military structure to suit the defense policy, laws on promotions, training, recruitment and even retirement and other benefits. An example is the Goldwater-Nicholls Act passed in 1986.<sup>50</sup> This act had a profound impact on how the United States military works and collaborates among its members. It reduced the authority of the Chiefs of Staffs of the various services and strengthened the control of the chairman of the Joint Chiefs of Staff; it required more joint planning and joint operations to insure a unified defense posture as opposed to each service going alone.

## **2. Oversight and Sanctions**

Legislative oversight is the most important means by which the legislature can monitor the executive's misuse of the military while at the same time providing diffused civilian oversight over the military. Since the legislatures are the elected representatives of the people, their oversight is viewed as that of the citizenry over the military. The defense budgeting process is a vital tool of parliamentary control over the military and added to that are the processes of monitoring, inspecting, conducting routine testimonies, sending auditors to the military and waiting for media denunciation.

Defense spending should, in most cases, be within what the government can afford. In addition, the Defense Ministry should compete with other government ministries because the overall budget must be a monetary expression of the priorities of the nation. The legislature's committee on defense must be able to justify the Defense Ministry's request of allocated resources for training, personnel, and equipment to reflect the role and mission of the Armed Forces in achieving the national security objectives. This can only be done if Ghana's parliamentary sub-committee on the defense's staff interacts with the staff in the executive branch as well as the Ministry of Defense to

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<sup>50</sup> This was a committee headed by Senator Goldwater, which was commissioned to draft the DOD reorganization Act of 1986. after series of failed joint attempts by the US military in specific operations, such as the Iranian Hostage issue and the Lebanon Hostage problem. It was to find the best way for the United State armed services to work jointly as a unified body.

discuss programs, collect information important for defense funding and to make policy decisions.

Their institutional knowledge allows them to question the military on key issues/programs intelligently and to report back to the Parliament during formal debate on the military budget. The budget proposal from the Defense Ministry through the executive branch is the most important document requiring enough details to clearly instruct the legislature in what they are approving or rejecting. The oversight mechanism for monitoring the military by the legislature has worked quite well in Benin. It includes the right of voting on the military budget, the power to declare war, and the power to declare a state of siege, upon the recommendation of the Council of Ministers. As a result, meaningful/productive communications have taken place between the executive branch and the legislature, and the legislature has, on many occasions, called on government and defense officials to testify before various committees during its yearly reviews of the military budget.<sup>51</sup>

In view of the limited amount of cooperation between the legislature and the military with respect to legislative oversight, problems of perception and communication still persist between civilians and the military in Ghana. The political leaders and civil society are still suspicious of the Armed Forces because of its track record of political intervention throughout the period of Ghana's democratic history. Significant progress has, however, been made in other countries in the sub-region. For example in Mali, some headway has been made in establishing effective legislative oversight and improving on the public perception of the Armed Forces.

Article 70, 71, 72, and 75 of the Malian Constitution provide the National Assembly with the right to legislate on defense matters and to declare war or state of emergency.<sup>52</sup> The assembly examines the defense budget each year, reviews it, and approves legislation concerning the organization of the national defense, the military code of justice, creation of military security units and the reorganization of the Armed Forces. This example illustrates the use of the legislature in effectively conducting

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<sup>51</sup> Ibid, Seminar reports on legislature and civil-military relation. Dakar, Senegal 1999.

<sup>52</sup> Ibid, This was in the report of the Malian delegation to the seminar.

oversight control over the executive branch and the military in a democracy, demonstrating that the legislature is not just in control of the defense budget.

The legislature must be able to have an effective monitoring mechanism over the executive branch with respect to military activities and the military itself. This ensures that the military only does what it is supposed to do helping it to build upon its efficiency and professionalism. The legislature should be able to commission auditors to audit the military from time to time and also establish inspection boards in countries with no Inspector Generals. These boards ensure that funds are allocated to the military for the reasons given in the approved budget statement. The legislature in Ghana should have the power to sanction the military, possibly in the form of a cut in military funding for projects or, in some cases, a full withdrawal of funds. This, however, has to be done with extreme caution in order not to undermine the military's ability to perform its assigned roles, or to reduce the level of its professionalism.

Finally, in exercising effective oversight over the military, the legislature must attend to military issues raised in the media. The media can be an effective oversight tool, since it is in constant touch with the people. The media is able to detect the general feelings of the population and point out issues requiring the attention of the executive and legislative branches. Because there is freedom of the press and rule of law in Ghana, the media address issues affecting the military, which are of public concern.

#### **D. EFFECTIVE NATIONAL SECURITY AND INTELLIGENCE SYSTEM**

Intelligence activities, which hitherto were being carried out to suit whichever government was in power were brought under some form of control following the passage of the Security and Intelligence Agencies Act of 1996, (Act 526) Under the Act, there is the National Security Council, Regional and District Security councils, and the Internal and External Intelligence agencies, the National Security Coordinator and the Complaints Tribunal and Warrant.

The Bureau of National Investigation (BNI), responsible for domestic intelligence, and the Research Department, responsible for external intelligence, operate directly under the National Security Council. The Research Department is not on ground,

so the BNI has assumed domestic and assisting the military in external intelligence external activities. The Defense Intelligence Department is directly under the Chief of Defense Staff but only falls under the National Security Council when its operations are of national interest. This is the precise point to draw the line for the defense intelligence agencies' involvement in domestic political issues. Since the President is the Commander-in-Chief of the Armed Forces as well as the Chairman of the National Security Council, separating domestic intelligence agencies from the military intelligence units becomes difficult. One effective way in which this can be managed is to have an oversight mechanism in place to ensure no crossovers.

The Act also makes provision for the President to appoint a minister responsible for national security who would submit a report to Parliament on the intelligence agencies each year.<sup>55</sup> Section 18 of the Act also allows the appointment of a coordinator by the President to coordinate the activities of the intelligence agencies. The coordinator is accountable to the President through the Minister responsible for national security.

In accordance with the Security and Intelligence Agencies Act of 1996, Act 256 the Directorate of Defense Intelligence was not only re-established to operate under the Ministry of Defense, but also to function as one of the Intelligence agencies under the National Security Affairs. In an interview with the Director General of Defense Intelligence (DGDI), he outlined his duties as overseeing authority coordinating the functions of the intelligence directorates of the three (3) services under the MOD. He is also an adviser to the Chief of Defense Staff/Minister for Defense on internal and external threats to the security of Ghana in which he measures what is necessary to counter such threats. As a member of the National Security Council and the Joint Intelligence Committee, he advises those bodies on all matters relating to defense intelligence. This structure of responsibilities shows that the MOD, and the National Security Council are consumers of defense intelligence products. This, therefore, draws the defense intelligence outfit into domestic intelligence because it can be used to feed the executive branch. When the Director-General Defense Intelligence was asked how far into civil society the defense intelligence activities extended, he stated, "As one of the

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<sup>55</sup> Part III of Security and Intelligence Agencies Act 526 (1996) Section 17.

national intelligence assets, the Defense Intelligence Department contributes to the achievement of the following strategic goals which are all for the well-being of the civil society:

- (i) Collect, analyze, retain and disseminate as appropriate, information and intelligence in respect of activities that may constitute threats to the security of the State and the Government of Ghana.
- (ii) Safeguard the economic well being of the State against threats posed by the acts or omissions of persons or organizations both within and outside the country.
- (iii) Protect the State against threats of espionage, sabotage, terrorism, hijacking, piracy, drug trafficking, etc.
- (iv) Protect the State against the activities of persons, both nationals and non-nationals, intended to overthrow the Government of Ghana or undermine the constitutional order through illegal, political, military, industrial or other means or through any other unconstitutional methods.”<sup>56</sup>

The Department of Defense Intelligence has autonomy over all defense intelligence related matters, but the National Security Council coordinates its activities at the national level. The Department has ,therefore, a very close liaison with other sister intelligence agencies. Even though the Defense Intelligence Agency has no power of arrest, the constitution makes provision for that under the Security and Intelligence Agencies Act.<sup>57</sup>

As stated in the National Security and Intelligence Act, funding for all the intelligence agencies is provided by the Parliament from the Consolidated Fund, which is under the executive. The coordinator accounts for the use of the funds with proper records to the National Security Council. Even though Parliament approves the use of

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<sup>56</sup> Interview, granted by Brigadier-General Adu-Amanfo, Director -General Defense Intelligence on December 24, 2001.

<sup>57</sup> *Security and Intelligence Agencies Act* (1996), Act 526 (20) States that “Where a Director of an intelligence agency or an employee designated by him, has reasonable grounds to believe that a warrant is required to enable the agency perform any of its functions under this Act. Director or the designated employee may apply for the issue of a warrant.”

funds, it has no control over the amount or its use, and therefore no control over the intelligence agencies.

Democratic governance requires a delicate balance between intelligence agencies need for secrecy and democracy's need for transparency. Although secrecy is important, transparency is critical for limiting the autonomy of the intelligence agencies and maintaining their accountability. Since the balance in Ghana continues to be weighted towards secrecy, this thesis analyzes intelligence cycles in general and advocates their adoption in Ghana for the purpose of balancing secrecy, trust and transparency. The six steps in the intelligence process, as identified by Mark M. Lowenthal, are planning and direction, collection, processing/exploitation, analysis/production, dissemination/consumption and feedback.<sup>58</sup>

The policymakers' articulation of priorities and requirements are very important in the planning and direction of the intelligence community. The intelligence process must be transparent and understood by the policymakers to facilitate efficacy, knowledge of their primary client, and the bureaucratic decision-making process in general. In a democratic consolidation period, this is essential because intelligence agencies are generally highly autonomous and secretive prior and during transitions to democratic rule. As the situation changes, policymakers must continuously provide feedback to the intelligence agencies to keep them focused on the issues most important for national security, and, in return, intelligence agencies must request clarification, providing feedback to policymakers on a continual basis.

Collection is the gathering of information from various sources, which the BNI in Ghana does very well. This information could be from open-sources, state records, such as tax returns, wire tapping, confidential records, surveillance and human collection. Even though the Security and Intelligence Agencies Act of 1996 (Act 526) is in place to guide intelligence agencies, it cannot wholly prevent human rights abuses or guarantee effective civilian control over intelligence. An effective collection mechanism must include oversight, proper functioning and empowered institutions, and a professionalized bureaucracy. The problem with the collection process may be the gathering of too much

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<sup>58</sup> Mark M. Lowenthal, Intelligence From Secrets to Policy. CQ Press Washington D. C. 2000. p 40-50



information, which undermines the intelligence agencies ability to accurately meet the needs of policymakers. In some cases intelligence collection responsibilities overlap with the power of arrest. However, keeping collection and power of arrest separated satisfies the need of preventing its abuse. Those collecting information should not have power to detain or arrest. This ability needs to remain with civil law enforcement to ensure that civil liberties and legal standards are upheld.

Refining of raw data from the collection process into a usable product for analysis and production is defined as processing and exploitation eliminating unnecessary intelligence that has been gathered. Analysis provides civil and military policymakers with information directly related to the issues they face and the decisions they have to make.<sup>59</sup> This is the point where data refined during the processing stage is turned into a useable product in the analysis phase that requires a lot of training and expertise. Although a competitive analysis is viewed as being quite good in giving a balanced analysis of an issue, its negative implications on a small country like Ghana creates an increased bureaucracy and contributes to information overload on the policymakers. Ghana can, therefore, make do with the intelligence agencies that are presently in existence under the BNI and the Defense Intelligence from time to time. Any attempt at creating a parallel agency to the BNI might require more funding and resources, which are scarce.

Dissemination in the intelligence cycle is the phase where the refined product of intelligence is made available to the policymakers and other key personnel. The information must be presented without any filtrations even when it is coming from the defense intelligence outfit. This information must be provided directly to the consumer, whether it is the military chief or the executive branch. Continuous feedback between intelligence analysts and the policymakers must be conducted throughout all stages of the intelligence process and, at the same time, feedback must be shared between the intelligence agencies themselves in producing an intelligence product. Oversight of the intelligence agencies by the executive branch, the legislature and the judicial branch are

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<sup>59</sup> Ibid, 75.

very important to ensure that the intelligence apparatus is used properly for the stability of the nation.

Oversight is the ability to control the intelligence processes. However, too much oversight can make the intelligence apparatus inefficient, preventing it from carrying out its function of protecting the nation effectively. Too little oversight could lead to a strong, autonomous intelligence service that threatens the stability of the nation. Oversight is a necessary but not sufficient condition for a good intelligence service. Contrarily, budgetary control, responsiveness to policy needs, internal control of operations, as well as professionalism of employees are other aspects that clearly impact the efficacy of an intelligence organization. These allow the civil society to penetrate the workings of the intelligence apparatus. Moreover, caution must be taken to balance the need for secrecy and the need for transparency, which is so crucial in democratic consolidation. Covert operations are defined as “an activity or activities of a government to influence political, economic or military conditions abroad, where it is intended that the role of that government will not be apparent or acknowledged publicly.”<sup>60</sup> Although these activities are not part of the intelligence process, by their nature, they are usually attached to the process. In a country like Ghana, which is in the process of democratic consolidation, separating covert operations from the intelligence process is imperative in maintaining the confidence of the population in the intelligence apparatus.

## **E. CONCLUSION**

Civilian control of the military in Ghana, and elsewhere in West Africa, has been vested in the executive branch of the government. Even though there are parliaments/national assemblies in all the countries, constitutional provisions only give these bodies the authority to raise an armed force. This leaves too much room for the executive to interfere with military institutions and structures and, in some cases, to hijack the military, using it to suppress opposition parties. In Ghana, the Constitution creates the Council of State and the Armed Forces Council as checks and balances to avoid bestowing absolute power on the executive or any branch of government. However,

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<sup>60</sup> Ibid. Mark M. Lowenthal, 106.

the composition of the membership of these bodies are such that the President can at any time play the military to his or her side. Analysis and recommendations for reform have been made to ensure that the checks and balances work properly. Even though Ghana has a Ministry of Defense, which is to be the link between the President and the military, it has not functioned properly because of the lack of civilian expertise, and balanced staffing by military and civilians.

Legislative oversight is required as a means of ensuring that the military does what is required while remaining accountable to elected officials and thus the population. However, the legislature remains ineffective because of constraints facing the third wave democracies, for example the lack of supporting staff with the required expertise and training. The legislature should tap into the expertise of retired military officers to increase the capability of reviewing and analyzing defense related issues, including budgets.

Additionally a well-informed legislature in the area of the military's operations and its readiness can more easily cooperate with the military to promote the national agenda. The legislative committee on defense must be able to justify the Defense Ministry's request for allocation of resources for training, personnel, and equipment to reflect the role and mission of the Armed Forces in achieving the national security objective. It is, therefore, valuable for Ghana to draw from the experience of Mali.

The Security and Intelligence Agencies Act of 1996, Act 526, has restructured the intelligence agencies and their activities. Intelligence gathering is highly important to the existence of any government. In any democratic system, caution is advisable in the operations of the intelligence agencies. This ensures that in the government's bid to operate in secrecy, they will try to balance it with transparency to order to retain the confidence of the general population. Effort should also be made to separate defense intelligence operations from national security activities.

## IV. CONCLUSION

The military in Ghana has been involved in politics since the pre-colonial period. The Ashanti Empire, which forms part of the present day Ghana, emerged around 1700 principally by waging wars of conquest against other states. The British used the military force that was in existence in the Gold Coast and the rest of the West African colonies to form the nucleus of the Royal West African Frontier Force (RWAFF). As far back as 1898, the Gold Coast provided a quota of the RWAFF, which was used extensively in the World Wars and the control of the Colonial States in the region. The British relied on the military of the then British West Africa to defeat the Ashanti Empire and in the Gold Coast the military was always called upon by the British to maintain order and ensure smooth functioning of the colony by, engaging in police duties, suppressing internal unrest and rebellions. On attainment of independence in 1957, under Dr. Kwame Nkrumah and the Convention Peoples Party (CPP), the British presence remained in Ghana's military with 200 British officers as against 25 junior Ghanaian officers.

Dr Nkrumah was overthrown in a military coup following his creation of one party state, run down of the Ghanaian economy, interference in the military structures and the creation of a parallel military force, President's own Guard regiment (POGR). Following the coup of 1966, there has been three more intervention in Ghana with the reasons for that being: economic mismanagement; suppression of opposition activities; interference in military institutions and structures; and disregard for human rights. The military in all the intervention have ruled alongside with the same civilians that they had overthrown. This has been so because of total lack of expertise on the part of the military. The military having been involved in the first coup, found itself as part of the political system and since they are managers of violence in any governmental apparatus decided to evoke on themselves the power to ensure good governance and accountability.

Intelligence institutions and apparatus have suffered under all the form of governments that Ghana has had since independence. Governments have always tried to use the intelligence agencies to perpetuate their stay in power. This has led to intelligence organizations being perceived by the general population and those in the opposition as a

threat to their existence. So every change in government has resulted in the intelligence apparatus being dismantled or some of those working in the service being sacked. This has always affected their efficiency and professionalism because of lack of continuity.

The civilian control of the military in Ghana and almost the whole of West Africa have been vested in the executive branch of the government. Even though there are parliaments/national assemblies in all the countries, the constitutional provisions only give these bodies the authority to raise an armed force. This gives room for the executive to interfere with the military institutions and structures and, in some cases, to hijack the military using it to suppress the opposition parties. In Ghana, the Constitution has created the Council of State and the Armed Forces Council as a means of checks and balances to avoid bestowing absolute power on the executive or any branch of government. The composition of the membership of these bodies are such that the President can at any time play the military to his or her side. Analysis and recommendations have been made ensuring that the checks and balances will work properly. Even though Ghana has a Ministry for Defense, which is to be the link between the President and the military, it has not functioned properly because of the lack of civilian expertise, and balanced staffing by both military and civilians.

Legislative oversight is required as a means of ensuring that the military does what is required while remaining accountable to the elected officials, thus, the population. Nonetheless, the legislature has been ineffective because of constraints facing the third wave democracies, for example the lack of supporting staff with the required expertise and training. Additionally, a well-informed legislature in the area of the military's operations will help promote the national security agenda. The legislative committee on defense must be able to justify the Defense Ministry's request for allocation of resources for training, personnel, and equipment to reflect the role and mission of the Armed Forces in achieving the national security objective. It is, therefore, valuable for Ghana to draw from the experience of Mali.

The Security and Intelligence Agencies Act of 1996, Act 526, has restructured the intelligence agencies and their activities. Intelligence gathering is highly important to the existence of any government. In any democratic system, caution is advisable in the

operations of the intelligence agencies. This ensures that in the government's bid to operate in secrecy, they will try to balance it with transparency to order to retain the confidence of the general population. Effort should also be made to separate defense intelligence operations from national security activities.

- 1) The following are, therefore, proposed as a framework to ensure objective civilian control of the military in a democratic consolidation and also as a means of prevent military intervention in Ghana's democratic system:
- 2) Executive branch nominations and appointments of members of Council of State must be equal to or less than those elected from the ten regions of Ghana.
- 3) The executive branch must try as much as possible not to interfere with the military structures and institutions.
- 4) There should not be any parallel military unit/organization established solely to protect the executive.
- 5) The MOD must be equipped with equal numbers of experts from the military and civilian sides so that when military issues are handled at the level of political decision makers, the civilians representing the military can defend the requirements.
- 6) The military must structure its requirements for resources to meet the national security objectives. This can be achieved if the civilians and the politicians are given a good understanding of the military institution.
- 7) The structure and membership of the Armed Forces Council as established in the Constitution will have to be amended and the name changed to Defense Committee. Its composition should include the original military component of the Council, the Vice President as chairman, and the parliamentary sub-committee for defense, (with fair representation of all political parties in Parliament) to ensure the military is apolitical.
- 8) The legislature must have support staff with expertise and training. Expertise of retired military officers should be tapped to enhance the capacity of the legislative branch to review and analyze defense related issues.

- 9) Members of the legislative sub-committee on defense must be given incentives to motivate them to learn more about the military.
- 10) To ensure that the members of the committee take interest in military issues, members selected for the defense committee should come from constituencies with military installations if possible.
- 11) The military must learn to educate and inform the legislature through the MOD and other agencies
- 12) The legislature must be able to commission auditors to audit the military from time to time.
- 13) The legislative sub-committee on defense must have total control and confidence in defending military budget on behalf of the military.
- 14) The legislature must be able to sanction the military.
- 15) Issues raised in the media about the military must receive quick response from the legislature to ensure their oversight control.
- 16) There must be intelligence oversight mechanism in place to ensure that there are no crossovers between domestic intelligence agencies and military intelligence activities.
- 17) Intelligence organization's need for secrecy must be balanced with democracy's need for transparency.
- 18) Intelligence collection must be kept separate from powers of arrest to protect the intelligence agencies and their abuse of the power.
- 19) There must be oversight of the intelligence agencies from the executive, legislature and judicial branches.
- 20) To maintain the confidence of the population in intelligence apparatus, covert activities must be separated from national intelligence processes.
- 21) There must be clear separation between national domestic intelligence activities and military intelligence operations in order to maintain the confidence of the population in the intelligence processes.

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